

# DOUGLAS COUNTY

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# JUDICIARY



*Strategic Plan*

2023/2024

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## TABLE OF CONTENTS

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MISSION .....	3
INTRODUCTION .....	3
VISION .....	8
STRATEGIES AND KEY OBJECTIVES .....	9
COURT SPACE REFORM .....	11
NATIONAL OPEN DATA STANDARDS .....	15
EXECUTIVE SUMMARY .....	16

# MISSION

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Continuous commitment to providing quality public service, ensuring access to justice with honesty and integrity so we can promote public trust and confidence in the judicial system.

# INTRODUCTION

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The Strategic Plan for the Douglas County Judiciary is built upon the achievements at both the national, state and local level while providing for continuous implementation and adoption of strategies to improve access to justice and increase public trust. As the third branch of government, the Douglas County Judiciary is dedicated to continuous improvement of processes, procedures, technology and critical services to those who depend on the courts. The Douglas County Judiciary's Strategic Plan incorporates the Nevada Supreme Court's Strategic Campaign and is designed to improve the way the Branch provides fair and timely access to justice. The strategies are:

- 1) Simplify and improve public access to the courts while continuing to ensure that all parties are treated fairly;
- 2) Support sustainable and user-focused court innovations to improve the delivery of court services;
- 3) Provide guidance to the Douglas County Board of County Commissioners to support the funding requests for personnel, statutorily mandated processes, and technological resources in the Judicial Branch at all levels.

The Nevada Supreme Court's Strategic Campaign is designed for courts to learn from each other and work to achieve individual and systemic successes. The Douglas County Judiciary incorporates some of those objectives and is focusing on ways to continuously achieve the highest level of success for Douglas County residents and those who conduct court business in Douglas County.

The Douglas County Judiciary has continuously pursued improvement through the adoption of technology, education, and is currently leading the state in reporting and auditing requirements.

National studies by the Pew Research Center reveal that the judiciary is the most trusted branch of government even as the research also shows that trust in governmental institutions




# Douglas County Judiciary

## Strategic Plan

is at historic lows. A poll conducted by the National Center for State Courts in the fall of 2021 reflects this trend, as results poll indicate that confidence in governmental institutions is the lowest it has been since the National Center for State Courts began tracking it in 2012; but courts remain the most trusted institutions. However, public confidence in the courts fell from 78% in 2018 to 64% in 2021. Ultimately, the intended outcome of this strategic plan is to improve public trust and confidence in the Douglas County courts as well as improve access to justice. Below is an overview of the findings from the National Center for State Courts.

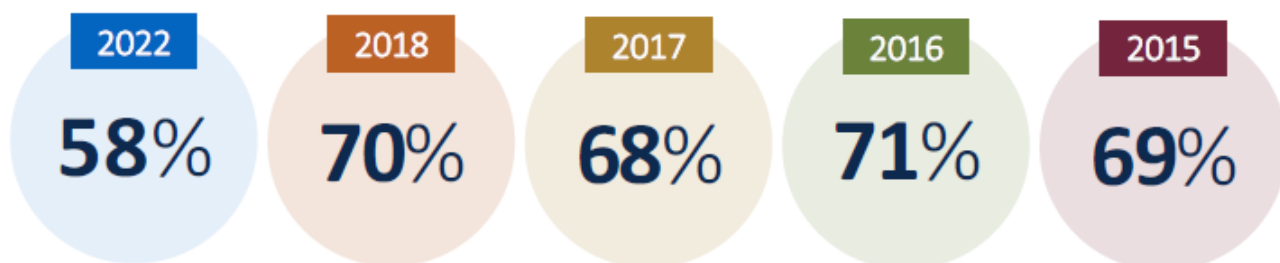
### Finding 1 – Courts are the most trusted of the three branches of government

Percent saying they have “some” or a “great deal” of confidence in each institution.

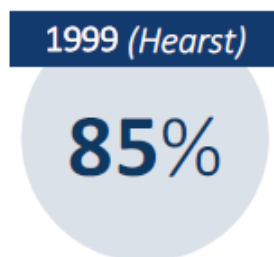
	 GOVERNOR	 LEGISLATURE	 COURTS
<b>2022</b>	<b>54%</b>	<b>55%</b>	<b>60%</b>
<b>2021</b>	<b>56%</b>	<b>56%</b>	<b>64%</b>
<b>2018</b>	<b>60%</b>	<b>65%</b>	<b>76%</b>
<b>2017</b>	<b>61%</b>	<b>57%</b>	<b>71%</b>
<b>2016</b>	<b>58%</b>	<b>65%</b>	<b>74%</b>
<b>2015</b>	<b>57%</b>	<b>61%</b>	<b>71%</b>
<b>1999</b> <i>(Hearst)</i>	<b>77%</b>	<b>76%</b>	<b>75%</b>
<b>1977</b> <i>(Yankelovich)</i>	<b>66%</b>	<b>64%</b>	<b>61%</b>

### Finding 2 – Courts critical role: Guardians of individual rights

Percent saying they “strongly” or “somewhat” agree that state courts are committed to **protecting individual rights**.

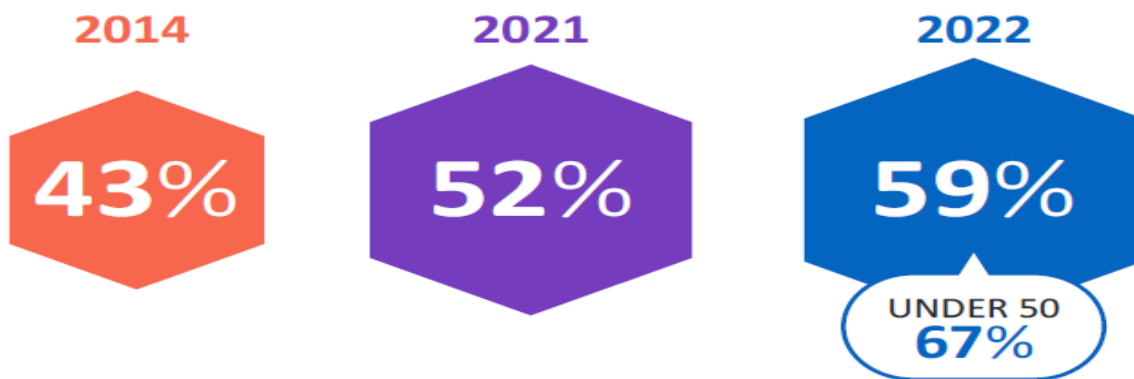


Percent saying they “strongly” or “somewhat” agree that the courts **protect defendants’ constitutional rights**.



**2022 Q:** “If you had business with the courts and this service was available online via **videoconferencing**...would you use it?”

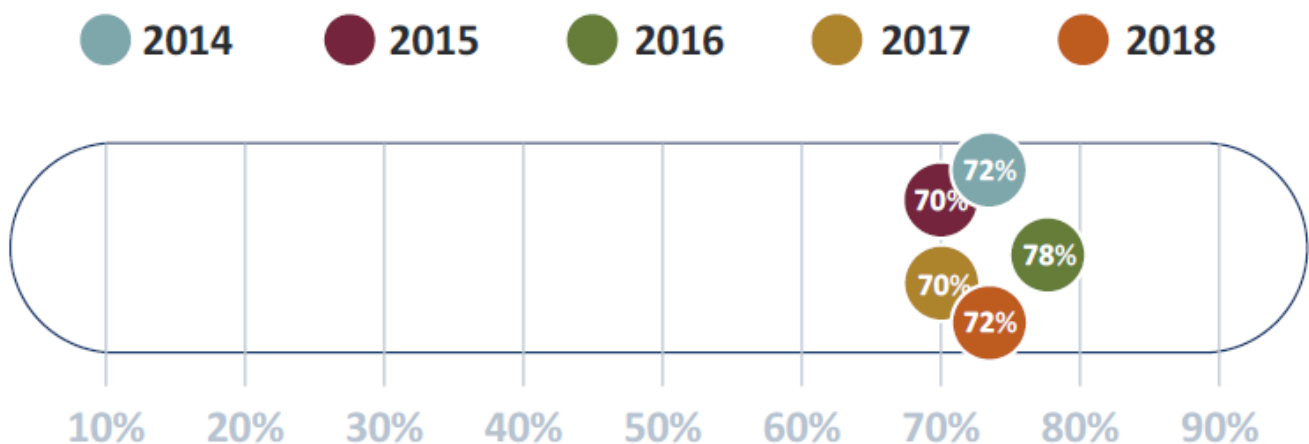
*Percent saying they would **definitely** or **probably** use video to appear for a case before the court.*



**Finding 4 – Procedural fairness is a hallmark of the court system**

Percent saying **YES** to the statement:

“Regardless of the outcome, were you satisfied with the **fairness of the process** in your dealings with the court system?”



Ultimately, the intended outcome of this strategic plan is to improve public trust and confidence and access to justice in the Douglas County Judiciary.

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- 1 See the Nevada Supreme Court Strategic Plan Final at <https://nvcourts.gov/aoc>
  - 2 See the National Center for State Court's Courtools at <https://www.ncsc.org/courtools>
  - 3 See Courthouse ReForm <https://www.ncsc.org/consulting-and-research/areas-of-expertise/courthouse-planning-and-security/reforming-court-spaces-of-the-future>

# VISION

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### **THE PURSUIT OF CONSTANT IMPROVEMENT WITHIN THE DOUGLAS COUNTY JUDICIARY THROUGH THE ADOPTION OF USER-FOCUSED PRACTICES.**

The Nevada Supreme Court is in the process of selecting and implementing a statewide e-filing system and replacing the existing AOC-sponsored trial court case management system. The Douglas County Judiciary has already undertaken the innovative practice of implementing e-Court for all 3 clerk's offices in Douglas County. These systems were implemented with statutory compliance, Uniform System for Judicial Reporting, and Minimum Accounting Standards requirements at the forefront.

**The Ninth Judicial District Court was the first court in the State of Nevada to achieve certification under the Uniform System for Judicial Reporting/Nevada Supreme Court, Phase III reporting. The Ninth Judicial District Court will be the first court in the State of Nevada to achieve certification under the Minimum Accounting Standards/Nevada Supreme Court, within the first quarter of FY 23/24.**

The Douglas County Judiciary implemented innovative practices during the Covid-19 Pandemic and all courts have continued to operate with no backlog, and no trial delays. Online/remote hearings, operational changes, and traffic kiosks improved daily operations and access for court users. The Douglas County Judiciary continued to hold jury trials during the Pandemic with the Judges using larger offsite buildings, making accommodations for the public to minimize risk factors, and holding pre-trial hearings remotely.

The Douglas County Judiciary has worked for the last 15 years to insure that the strategic direction of the Douglas County Courts include independence, integrity, innovation, collaboration with court users, public trust and confidence, and access to justice. Systems that focus on integration, interfaces, and data analytics, that include substantial and sustained planning without limiting courts to the objectives listed are paramount to this strategic plan.



## **STRATEGIES AND KEY OBJECTIVES**

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### **SIMPLIFY AND IMPROVE PUBLIC ACCESS TO THE DOUGLAS COUNTY COURTS WHILE CONTINUING TO ENSURE THAT ALL PARTIES ARE TREATED FAIRLY.**

The Douglas County Judiciary strives to maintain public trust and confidence. Integral to this goal is ensuring access and fairness to interactions with court users. The Douglas County Judiciary is actively examining and working on ways to remove barriers to court access. This includes implementing a new Jury Case Management System that will allow electronic summons and selection processes. This new system will allow the court users and the public to interact electronically and receive text messages from the court if they are summoned for jury service. Electronic Filing will be implemented this year, allowing court users to file documents electronically, access their case(s), search public records and obtain information electronically, meeting the needs of self-represented court users and those who face geographic barriers or require special consideration and innovative approaches.

The Douglas County Judiciary is working to improve the accessibility to the courts for self-represented litigants by working with the Nevada Supreme Court on common forms that will be compatible with the e-filing system. Utilizing technology that is designed to bridge the digital equity and inclusion divides by providing standard access and user-friendly resources will assist the Douglas County Judiciary in improving data and developing consistent performance metrics.

### **SUSTAINABLE FUNDING AND APPROPRIATE JUDICIAL, PERSONNEL, EDUCATION, AND TECHNOLOGICAL RESOURCES.**

Adequate court resources, including both financing and personnel, are fundamental to effective court operations. The Douglas County Judiciary includes 2 Justice Courts, 2 District Courts, 3 Clerks offices, Judicial Services which includes Administration and the Judicial Fiscal Management, Court IT, and Court Advocacy. The Judges also oversee Juvenile Probation and the China Spring Youth Camp. While the Nevada Supreme Court/Nevada Judicial Branch is committed to examining options for reforming court funding structures to ensure funding is maintained at sustainable levels throughout the Branch, the complexity of this endeavor will require ongoing research and extensive collaboration with both the legislative and executive branches at both the state and local level. The Nevada Judiciary has relied heavily on fee revenue and administrative assessments which has resulted in wide inequities between local courts around the State of Nevada. This has created a negative perception of the Judiciary as a fair and independent entity, free of inappropriate pressures from funding sources. The Douglas County Judiciary has worked with the Douglas County Board of County Commissioners to fill any gaps in needs not covered by the Nevada Judiciary for Statutorily

## Douglas County Judiciary

### *Strategic Plan*

Mandated functions. The Douglas County Judiciary will continue to work with the Nevada Judicial Branch and the Douglas County Board of County Commissioners to ensure funding is maintained at sustainable levels. The complexity of this endeavor will require ongoing research and extensive collaboration at both the state and local level. The Douglas County Judiciary will continue to effectively manage our current resources and work with Human Resources to cure the significant inequities in staff allocations, salaries, recruitment and employee retention.

Staffing sufficiency has been an ongoing issue since 2008 and will require a considerable investment of resources. Staffing sufficiency is fundamental to operational stability. The statutorily mandated reporting requirements, legislative changes and mandates, considerable knowledge in statistics, fines/fees, and public assistance require consistent training and education. Without consistency in staffing the speed, accuracy and timeliness of filings, judgments, judicial support, and reporting are all effected. This fundamental operational area effects the court users and other judicial partners, including but not limited to the District Attorney, the Jail/Douglas County Sheriff, Department of Public Safety, Department of Motor Vehicles, Federal Bureau of Investigation, Division of Parole and Probation and many other National, State and Local agencies including the Nevada Supreme Court/Administrative Office of the Courts.

Promising innovations and Therapeutic specialty court programs including drug courts, DUI courts, mental health courts and veterans courts are examples of highly effective courts in dealing with the root causes of criminal behavior. Despite their proven achievements, funding remains a barrier to creating, maintaining, and expanding these programs. The Douglas County Judiciary continues to work with the Nevada Judiciary and are committed to pursuing adequate funding for these innovative court approaches. The Douglas County Judiciary has successfully worked with the Nevada Judiciary since the inception of the Western Nevada Regional Drug Court and DUI Court Programs. These programs continue to serve the community of Douglas County.

Education is at the forefront for the Douglas County Judiciary employees. There have been 6 successful graduates from the National Center for State Courts/Institution for Court Management program in the past 2 years and 1 more will be graduating in 2023. These employees are now certified in Court Management having successfully completed certification in Accountability & Court Performance, Budget & Fiscal Management, Caseflow & Workflow Management, Project Management for the Courts, Purposes & Responsibilities of Courts and Workforce Management. The next step is Court Executive Certification then Fellows Diplomas. All clerks are required to become members of the Nevada Association for Court Career Advancement and attend yearly trainings that include legislative updates, ethics, vicarious trauma, and teamwork to name a few of the classes they attend. Management is

required to become members of the Nevada Association of Court Executives and Senior Management is required to become members of the National Association for Court Management where they attend yearly trainings that include technology, leadership, court governance, effective communication, intergenerational collaboration, diversity, equity, inclusion, workforce management, fiscal management, jury management and court quality standards to name a few of the topics. Our IT Management belongs to several organizations and attends Court Technology Conference trainings and attends classes and trainings on cyber security, remote proceedings, data governance, response measures related to maintaining operations and court security, managing digital evidence, artificial intelligence, ethics, and innovation. Court Advocacy attends national trainings yearly as well. These trainings include learning opportunities on critical topics including advocacy skills, child welfare, leadership, governance, diversity and equity, fundraising and more.

The education provided to employees of the Douglas County Judiciary is aimed at improving performance, embracing innovation, and planning for succession to maintain the integrity of processes and procedures and develop highly trained, and continuously educated civil servants furthering key strategies and the mission of the Douglas County Judiciary.

Members of the Judiciary and their staff are routinely asked by the Nevada Supreme Court or its Administrative Office to serve on judicial development or educational commissions to benefit the entire state.

## COURTHOUSE REFORM

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The courthouse is a physical embodiment of order dignity, and respect for the law, and its image represents societal values and ideas about the administration of justice. With the plans for a new courthouse, the Douglas County Judiciary is mindful that architecture has evolved to include signifying the importance of the activities within, transparency of the judicial process, and the security of court attendees, court staff and Judicial officers.

Today's court processes are more complex and require nuanced environments to support operations. Innovations are needed to support public access, adjudication processes, jury procedures, and court administration. The shift to remote operations and online services has presented challenges but the Douglas County Judiciary intends to seek opportunities that meet public expectations which demand the modernization of technology.

With the implementation of 3 new case management systems, a new jury management system, e-filing and a public portal, the Douglas County Judiciary is moving to accommodate unique and sometimes juxtaposed needs of the public, jurors, judges, litigants, attorneys,

# Douglas County Judiciary

## Strategic Plan

victims, witnesses, in-custody defendants, juvenile populations, court staff and a multitude of other service providers.

Accessibility (ADA), public service amenities, the physical separation of a courtroom and chambers, separation and secure circulation systems, and highly integrated technology throughout the building will advance to incorporate specific settings to conduct effective proceedings to better serve our public and community.

The user experience is a priority, including how the environment may influence behaviors and connect with the community. The Douglas County Judiciary has carefully considered the following strategies and is working with County Government in the design phase:

- 1) Data-Driven Design
  - a. Case Event and Service Management through Data Analysis
  - b. Remote and Virtual Service, Hearings, Policies and Initiatives
- 2) Adjudication Spaces
  - a. Barriers
  - b. Remote Hearings
  - c. Hybrid Hearing Rooms/Remote Access Rooms
  - d. Video/Remote Arraignments and Bail Hearings
  - e. Policy and Procedure Considerations
- 3) Jury Spaces
  - a. Juror Utilization
  - b. Electronic Jury Operations/Management
  - c. Assembly/Deliberation/Separation
  - d. Security and Sound Barriers
- 4) Administration Spaces
  - a. Remote work/access
  - b. Future Operations/Planning
  - c. Trauma-Informed Design for all
  - d. Activity Based Office Design
  - e. Judicial Security
- 5) Public Spaces
  - a. Customer Oriented Service
  - b. Public and e-Filing Operations
  - c. Anticipating Service Demand
  - d. Treatment and Community Courts
  - e. Kiosks
  - f. Remote Access Rooms
  - g. Public Access/Law Library

## Douglas County Judiciary

### *Strategic Plan*

- h. Victim Separation
- 6) Sustainable Future
  - a. Cost Implications and Space use Innovations

The Douglas County Judiciary is mindful that Courthouses are often one of the most expensive publicly funded infrastructure projects that a jurisdiction builds. Planning with fiscal responsibility to last long term is at the forefront of Judges concern. Providing a realistic and reasonable basis for estimating requirements and determining future growth is considered for each space. Planning to address the needs of the community, services provided by the courts, changes in law, local and national initiatives, law enforcement practices, local budgeting, and security are all considerations on what will impact the work of the courts. Courts and the services they provide have adjusted and responded to the needs of their communities and will continue to do so long after this building has been built.

The Douglas County Judiciary has worked to manage their dockets and cases through calendaring and flexible scheduling with the space currently allocated. With a greater number of self-represented litigants using the courts, technology will be able to assist courts and streamline processes. With these fundamental practices the Douglas County Judiciary is well prepared in economies of scale that drive the court's ability to differentiate spaces to conserve on space needs for the future growth and expansion needed for this community.

Courts are one of the few places where citizens have direct contact with their government, either through participating in jury service or as a litigant or witness. The Douglas County Judiciary has consistently revamped their case and information management systems and will continue to provide the public with access to services through electronic services. These services will define future interpersonal and transactional business relationships between the public, legal professionals and the courts. While it is valuable for courts to provide remote access for customers to transact business, at the same time, it is equally important to help customers navigate the complex court system by providing access to live assistance. This future court facility will be planned with robust integrated technologies and the expectation that not all customers will need to come to the courthouse to conduct business without losing sight of the needs of self-represented litigants and those with limited access to technology.

ADA Title II Accommodation Requirements are mandatory. The Nevada Supreme Court is creating standards because Courts in Nevada need to be fully compliant with the requirements of the ADA, not only because it is the law, but because equal access to justice is a fundamental right.

As part of a state/local government we must comply with these standards including following specific standards for physical accessibility when building, or altering a building or facility. We must follow specific requirements, conduct self-evaluation of the policies and procedures every three years at a minimum. This includes removing architectural, communication or

transportation barriers, and providing auxiliary aids and services. The ADA defines disability as a mental or physical impairment that substantially limits one or more major life activities. ADA protection extends not only to individuals who currently have a disability, but to those with a record of a mental or physical impairment that substantially limits one or more major life activities, or who are perceived or regarded as having a mental or physical impairment that substantially limits one or more major life activities. The Douglas County Judiciary intends to take appropriate steps in the new building to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as communications with others. This includes accessibility, service animals, communication, lighting, and allowing for other power-driven mobility devices for those who need the access.

### **Resources**

- ADA.gov
- ADA Best Practices Tool Kit for State and Local Governments
- National Network of ADA Centers
- Title II Technical Assistance Manual
- Guidance on the 2010 ADA Standards for Accessible Design o required for all buildings newly constructed or alterations after 3/15/2012
- NCSC Courthouse Planning Guide
- Nevada Disability Advocacy and Law Center
- Equal Access Advocates

# NATIONAL OPEN DATA STANDARDS

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Data are strategic assets for courts, increasingly necessary not only for the operation of the court and management of cases, but also for strategic planning, developing policies and budgets, and improving court performance. Data governance is the framework that courts establish and communicate organizational decisions concerning data, ensuring that business activities and data management are synchronized, and developing documentation for long-term and short-term strategies around the collection, use, storage, and disposal of data. Nevada has a non-unified judiciary structure. This means that the administration and decision making processes for Nevada Trial Courts are made locally by Judges, The Douglas County Judiciary has been at the forefront of making decisions regarding the safekeeping of data.

Nevada is designing a Data Accountability & governance Guide that will be intended to serve as a model for data governance for the Court Data Repository in the future and will also serve as a best practices standard for trial courts throughout the state. Douglas County Administration is a part of that commission and is helping to create those standards to prevent the unauthorized access to confidential data, improve court data, assist judges and improve transparency.

Nevada is creating a Data Repository as part of their strategic plan. Douglas County is ahead of the game by having all courts on the same case management system, integrated/interfaced with Multi-County Integrated Justice Information System (MCIJIS), the Department of Motor Vehicles, Brazos, State Repository (NICS), and Justice Audio Visual (JAVS) recording systems. Douglas County manages their own data and has spent significant resources protecting that data from ransomware attacks and maintaining security of that data.

Governance is about creating a culture around data creation and use, including how data rules are created and enforced. The systems implemented by the Douglas County Judiciary have been created with strong data governance already so the Douglas County Judiciary wastes little time and energy searching for missing information, collecting unnecessary information, correcting bad information, entering data redundantly, and making decisions repetitively and sometimes inconsistently. We are prepared to comply with and assist the Nevada Judiciary with the mandatory state reporting requirements while protecting the data of our community prior to the implementation of the National Open Data Standards by the Nevada Supreme Court.

# EXECUTIVE SUMMARY

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The Douglas County Judiciary and court leaders continue to push boundaries of efficiency, and service through innovation to enhance court operations.

Protecting the independence of the Judiciary as the Third Branch of Government is paramount and therefore included in the executive summary under our strategic plan. Federalist Paper No. 51 (1788) an essay by James Madison, published under the pseudonym “Publius” and Federalist Paper No. 78 (1788) an essay by Alexander Hamilton, published under the pseudonym “Publius” are two of the primary documents in American History that detail the history behind the structure of our government and the checks and balances written into our constitution. An independent judiciary is necessary to ensure the rule of law is respected. Judicial independence means that judges are not subject to pressure and influence and are free to make impartial decisions based solely on fact and law. Maintaining Judicial independence is important for the idea of separation of powers and the judiciary should be independent from the other branches of government, and not subject to improper influence from the other branches of government or from private or partisan interests. This is paramount in the Douglas County Judiciary Strategic Plan.

This is not a 5 year plan because the Judiciary is constantly adjusting to meet the needs of the community and allocates their resources yearly to identify and allocate resources on a national, state and local level. The Judiciary follows local, state and federal laws and complies with mandates from the Nevada Supreme Court as well as Douglas County Code. We align our resources, processes and procedures to maintain excellence. Organizational goals are aligned to ensure that all entities are moving in the same direction with a continued focus on access to justice and public trust and confidence.

We have worked diligently to become certified in our statistical reporting, fiscal standards, and worked to gain efficiencies across all departments. Our staff is trained yearly on Payment Card Industry standards and compliance as well as the Code of Conduct for Court Professionals. Integrity and ethics are a driving force and every employee takes pride because of the judges they represent and the community they serve.

Prioritizing critical issues and aligning organizational goals so that our community and judicial partners are moving in a common direction help to identify areas in which to invest time and allocate resources for new initiatives.

Succession planning, education and employee retention are opportunities we need to focus on for the future success of the Branch.



## **Douglas County Judiciary**

### *Strategic Plan*

The Douglas County Judiciary is committed to providing a strategic plan that will provide and continuously improve our community and the Nevada Judiciary in the following ways:

- **Independence**
- **Integrity**
- **Access to Justice**
- **Public Trust and Confidence**
- **Code of Conduct for Judges/Court Professionals(Ethics)**
- **Education/Leadership**
- **Advanced Technology/User Focused Practices**
- **Accurate and Timely Statutorily Mandated Reporting**
- **Sustainable and Appropriate use of Resources**
- **Protection of Individuals Rights**
- **Efficiency**
- **Innovation**
- **Collaboration**
- **Organizational Stability**